

1893-048 Chancery Causes: John D. Sharp vs. Ira G. Sprinkle &
Lee Co.

Hurst

CA-Debt
T-Property

-Deed

To the Honorable John A. Kelly Judge of the
Circuit Court of Lee County Virginia.

The Bill of Complaint of John D. Sharp
of Lee ~~County~~ ^{County} Virginia humbly Com-
plaining respectfully represents to your
Honor that On the 21st day of March
1868 he obtained a judgment in the

Court of Lee County Virginia ^{for}
against one Ira G. Sprinkle of Said County ^{for}
the Sum of \$145.77 and interest thereon
on \$120.77 paid thereof from June 4th 1861 the said and interest on \$15.
from the 12th day of November 1861 till

paid and \$7.62 for his Costs and on
the 26th day of March 1868 the said judg-
ment was docketed in the judgment Docket
Book in Lee County Court Clerks office so
as to create a lien on the said Ira G. Sprin-
gles real estate which he then and since then has
owned. Upon this judgment your Orator
has had repeatedly issued writs of fieri
facias and had them placed in the hands
of the Sheriffs of Lee County who allways
returned that they could not make the
same or any part thereof by executions
and your Orator alleges that in fact
it cannot be made the said Ira G. Sprin-
gles has no visible personal estate known to
your Orator and if he has any he very
adroitly conceals and manages it so as to
keep your Orator from collecting his judgment.

Therefore your Orator alleges that he the
Said Ira G. Sprinkle has no personal estate
out of which he can make his judgment.
But your Orator alleges that the Said Ira
G. Sprinkle ^{was and is} the owner of a large and
valuable tract of land or rather several
tracts of land lying and being on &
near the Little Stone Gap turnpike road
about ten miles north east of Jonesville
in Lee County Va. containing about
acres more or less and on which the
judgment by reason of the rendition and
docketing thereof is a valid and subsisting
lien but by reason of the other liabilities ^{against said land}
the rents and profits of said lands will
not in five years pay the said judg-
ment and your Orator so alleges.

Your Orator will further state that since
the rendition and docketing of said
judgment the said Ira G. Sprinkle in-
tending to ^{hinder delay &} defraud your Orator and
others out of their judgment and debts
executed a deed of trust to one William
S. Hurst as trustee for the benefit of
Marion D. Richmond John H. Cook and Charles A. Cook ^{adms of said estate}
Wm. P. Monitor & sons for the benefit of C. Cook & sons Henry J. Morgan ^{adms of said estate}
William C. Jones ^{adms of said estate} Thomas L. Jones ^{adms of said estate} Martin Drake ^{adms of said estate} Elkanah Flanary
John Smith ^{adms of said estate} George W. Cropper ^{adms of said estate} James Garrett ^{adms of said estate} James M. Parson
but your Orator alleges that said deed
of trust having been executed subsequent
to the date and docketing of your Orator's

judgment and hence your Orator's judgment
is a valid and subsisting lien upon the
said Ira G. Sprinkle's real estate therein
embraced and conveyed in spite of any
deed of trust conveying the same, the
said deed of trust purports to convey the
real and personal estate of Defendant Sprin-
kle to the said trustee for the benefit of
the parties aforesaid.

Your Orator therefore alleges that he obtained
the judgment and had it docketed and it is
therefore a lien on the said lands in spite
of the deed of trust and that the judg-
ment and no part thereof has ever been paid
and cannot be made out of the Defendant's per-
sonal estate and that the rents and profits of
said lands will not pay the said judgment
in five years and therefore said lands will
have to be subjected to sale or rent as the
case may be to pay said judgment interest
and costs and the cost of this suit which
is the object of this bill.

Your Orator being without an adequate
remedy at law and

of Chance

Said
Said

David Miller for Compt

1882 Post a this year
1883 Mr. P. Aug. 2nd 1882

1882 Court this year

1897 Great Lakes region.

1876 Spring no birds or ex.

1873 New York Co. N.Y.

Not for hearing by J. P. H.

Aug. Decorated Copy

Handts. & Deenen thair;

1874 Dec 20. 1874

1871

Handwritten signature

Call on Day 1

10

John D. Ford

6.06

Sept 16 1892

John D. Sharp actor

vs

John D. Sharp

John G. Sprinkle et al

vs

It

appearing that Comm. A. H. Ordway has not, executed the decree of venting heretofore entered in this Cause, on his motion he is relieved from executing the same, and D. C. Sewell who is hereby appointed in his room & stead will proceed to execute the decree & collect the debt, heretofore decreed to said Ordway, but before proceeding to do so he will execute bond before the Clerk of this Court with approved security in a penalty of \$200 conditioned according to law. He will in all other respects follow the directions of the former decree - And report his action to this Court at its next term & the Cause is continued.

John D. Sharp &
Associates

vs. Decree

Ira G. Sprinkle et al

June 7, 1893

Entered by O.B.

Page 506 -

June 10th 1893 -

J. A. Hyatt &

"6"

Entered this

June 10th 1893

H. S. K. M.

John D. Sharp

Deft.

Against

} In chry

Ira G. Sprinkle & other Defts.

This Cause came on again, to be heard this day upon the papers formerly read and the report of David Miller Comr. filed March 15th /79 - And was argued by Counsel, and no exceptions appearing said report is confirmed.

And it appearing to the Court that it is not now convenient for Comr.

Miller to further discharge the duties of Comr. in said Cause, by his Consent by Counsel he is removed; and directed to turn over the books of account reported by him to A. L. Pridemore who is hereby appointed a special Comr. in room and stead of said Miller; said Comr. Pridemore will proceed to collect the amounts due on the bonds taken for rent by said Miller, and after applying the same realized by them together with the sum received by said Miller said Comr. Pridemore will proceed, to rent the defendants land for a sufficient sum to pay and discharge the residue of the plaintiffs debt - He will conform to the terms of the decree of Sept 8 /76

John D. Sharp

23 Dec 1883

for G. Sprinkle

Nov. 17 / 1883

Entered page 351.

J. A. Hyatt
Clerk

"B"

Enter this
Nov. 27 / 83
J. A. Hyatt

entered in this Cause. But before
receiving any sums under this decree
he will execute bond before the clerk
of this Court in a penalty of \$200
Conditions to duly perform the duties
herein assigned him; and the Cause is con-
tinued -

John D. Sharp Plff. }
 against } Decease to rent.
 Ira G. Sprinkle Deft.

This Cause Came on this day to be heard
 upon the ~~papers~~ Complainants Bill and
 exhibits filed therewith and was argued
 by Counsel And it appearing to the Court
 that the Defendant has been duly Served with
 process and that this Cause has been regularly
 Matured at rules And Set for hearing by
 the plaintiff And the Defendant Still failing
 to appear and answer the Complainants Bill
 it is therefore taken for Confessed against
 him And it appearing to the Court that
 the plaintiff has a judgment Against the
 Defendant for the Sum of \$148.77
 with legal interest on \$120.77 part thereof
 from the 4th day of June 1861 till paid
 and the like interest on \$25.00 the residue
 thereof from the 12th day of November
 1861 till paid and \$7.62 for Costs and
 if further appearing to the Court that
 Said judgment Cannot be made by a
 writ of fieri facias And that Said
 judgment is a lien on the Defendants
 real estate lying and being in Lee
 County Virginia On Consideration of
 which the Court hereby appoints David
 Miller a Special Commissioner whose duty
 it shall be ^{unless the Defendant or some one for him pays this} to rent at public outcry

within 30 days before this date

to the highest bidder the Defendants real estate on which the said judgment is a lien lying and being in Lee County Virginia, ^{for an amount sufficient to pay} ~~the will rent said lands~~ the amount due on said judgment and the Costs of this Suit and the expenses of renting. He will advertise the time and place of his renting at the front door of Lee Courthouse and at two other public places in said County ^{for four weeks before renting}. He will require the Costs of the said judgment and the Costs of this Suit and his Commission in Cash and for the residue he will take bonds with good Security bearing interest from date ^{payable annually} ~~due twelve months after date~~. He will report his action to this Court at next Term and the Cause is Continued.

John S. Sharpe

at
to Court

John S. Sharpe

Entered on 22 573

Wm. S. G. D.C.

Carlin

Sept. 11.

Sept. 17/6

To D. C Sewell, Commissioner in the case of John D. Sharp's administrator against Ira G. Sprinkle, et al:-

Take ~~notice~~ notice, that I on the 30th day of October 1895, at the law office of Orr, Blankenship & Ewing, in the town of Jonesville, Lee County, Virginia, between the hours of 8 A. M. and 6 P. M., ~~I~~ will proceed to take the depositions of Harvey L. Sprinkle and others, which when taken are intended to be read in my behalf in the Chancery cause now pending in the Circuit Court of Lee County, Virginia, in which I am Plaintiff and you are Defendant; and ^{is} ~~from~~ any cause the taking of ~~the~~ the same be not begun, ^{or is} ~~it~~ begun, and not finished on that day, the same will be continued from time to time, and from place to place, and between the same hours until the taking thereof shall have been completed. This October 29th 1895.

Very Respectfully,

Ira G. Sprinkle.

By Counsel.

For G. Sprinkle
vs. Notice
D. C. Sedell, Comr.

Executed by
delivering a
copy of the
within notice to
D. C. Sedell on
the 29th day of
Oct. 1898.

Wm. O. Weston
J. L. C.

The depositions of H. L. Sprinkle
& others, taken before me H. C. Foslyn
a Justice of the Peace for Lee County
Va. at the office of Geo. Blankenship
Dwight, on the 30th day of October
1895, pursuant to notice herewith
attached, which depositions are intended
to be read as evidence in behalf of
the Plaintiff in a Certain Chancery Cause
now pending in the Circuit Court of
Lee County Va in which D. C.
Sewell Commissioner in the
Case of John D. Sharp's adminis-
trator against Geo S. Sprinkle &
others is defendant, and Geo S.
Sprinkle is Plaintiff.

No witnesses appearing in this case
the taking of depositions is hereby
adjourned until tomorrow Oct 31st
1895, at 1 O'clock P. M. at same place.
This Oct 30th 1895.

H. C. Foslyn J. P.
Met pursuant to adjournment.
~~On~~ This 31st day of Oct 1895.
No witnesses appearing in this case
the same is adjourned until
Nov 1st 1895, at 1 O'clock P. M.
at ~~some place~~
This Oct 31st 1895 H. C. Foslyn J. P.

Met pursuant to adjournment,
on this 1st day of Nov 1895. No
witness appearing in this case
the same is continued until
Nov 2^d 1895. at 10 o'clock ^{P.M.} at
same place.

This Nov 1st 1895.

H. C. Foslyn J. P.
Met pursuant to adjournment
on this Nov 2^d 1895. at the office
of our Clerkship & Lawing.

No witness appearing to testify
in this case. The same is
continued until Monday Nov
4th 1895.

This Nov 2^d 1895.

H. C. Foslyn J. P.

Met pursuant to adjournment
on this Nov 4th 1895; at the
office of our Clerkship & Lawing.
No witness appearing to testify
the same is continued indefi-
nitely.

This Nov 4th 1895.

H. C. Foslyn J. P.

Dr B. Sprinkle

vs.

D. C. Sewell

Cour. in the
Case of John D.
Sharp's Adm.

vs.

Dr B. Sprinkle et al

Depo.

Received from H. C. Joly
the Justice before whom
taken & filed Nov 4th
1895. A. B. Munsey Clerk

J. P. Lee \$1.50

John L. Shreve
against

Alfred J. Shreve

vs. J. J. Shreve

Sept. 1

In Chancery

is the transcript from the Court of the
Sd Circuit Court of this County.

Pursuant to a decree entered in the
above styled Cause I advertised the Sd
Sd's land for sale and pursuant to
said advertisement I proceeded to sell
the same at the Court door of the
Court house on the 1st day of October 1878
and Harvey L. Shreve a Son of the
Defendant being the highest bidder
bid the same for two years
at the price of \$90.00 and he paid
me in cash the sum of \$30.00 for
the Costs of the Suit ^{which includes} my Com-
mission and he executed to me
a Commission ^{his bond} for the sum of \$60.00
bearing interest from date dated
on the 1st day of October - 1878
and due one and two ^{years} after date
with

as Security

all of which is respectfully sub-
mitted. One half of Said bond and
interest thereon from date was due one
year after the date thereof and one
half and interest from date was
due two years after date.

David Miller Comr.

John A. Sharp
vs J. C. C. & Co.
Chas. L. Sample

Filed Nov 18/77.
Jas H. On clk

"a"

This Indenture made this the 22^d day of August in the
year 1854. between James Garrison of Lee County Virginia of
the one part, & Ira W. Sprinkle of the other part, Witnesseth
that in consideration of the sum of three hundred dollars the
said Garrison bargains & sells to said Sprinkle the following
tract or parcel of land Lying and being in the County of Greene
bounded as follows to wit: Beginning on a absolute Horse beam
and Sassafras 534° E 18 poles to a sugar tree S 30° E 30 poles to two chin-
quapin oaks and two sabs S 53° W 96 poles to two white oaks a highway
corner to John Weaver S. 21° W. 60 poles to two oaks and a red hnd.
near a cove N 22° W 40 poles to a stake on a line of the cedar spring line
and with the same S 87° W 24 poles to a stake in the middle of the
road near a black walnut marked as a corner thence thence
with the middle of said road Southwardly 24 poles to a stake
S 51° W 32 poles to a white oak by the side of said road S 46° W 32
poles to a stake in said road thence North to the river thence up
the same and with the meanders thereof to the beginning Contain-
ing two hundred and sixteen acres be the same more or less
(four tracts being herein embraced in one) to the said I. W. Sprinkle
& his heirs forever with all the appurtenances Whatsoever thereto
belonging unto the said Ira W. Sprinkle and his heirs against
the claims of all persons whomsoever shall warrant and
will forever defend. The said James Garrison for himself and his
heirs Will warrant the said land unto the sole use and behoof of
the said Sprinkle and his heirs against the claims of all persons
whomsoever, In witness whereof the said James Garrison for him-
self and his heirs both hereunto subscribed his name and affixed
his seal the day and year above written, James Garrison Seal

Luc County Clerk's office the 26th day of August 1861.
This indenture of bargain and sale for lands between
James Garrison of the one part, and Wm. G. Sprinkle of
the other part, was acknowledged before me and admitted
to record.

Wm. Henry Harrison Sprout Ck.

Attest

Wm. John R. Wilson Ck.

Wm. G. Sprinkle
Henry G. G. of G. G.
James Garrison

255

Virginia

At a court of quarter Sessions continued and held for Lee
County, at the court house thereof, on Saturday the 21st
day of March 1868,

John F. Sharp

Plaintiff

against

Im Debt

Ira L. Sprinkle

Defendant

The Defendant not appearing. It is considered by the court
that the judgment obtained against him in the Clerk's office
for \$145.77 the debt in the declaration mentioned, with legal
interest on \$120.77. part thereof, from the 4th day of June 1861,
and the like interest on \$20.00, the residue thereof from the
12th day of November 1861, till paid and the costs, be made
final.

G 2.18
D 2.50
S .50
T .50
C .58
C .58
C .58
C 120
8.62

Scopy Teste John R. Gibson D.C.

John D. Sharp
A Copy of judgment
Ara G. Sprinkle -

28 Oct

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY--GREETING:

WE COMMAND YOU TO SUMMON *Israel S. Sprinkle Mrs S. Hurst-*

To appear before the Judge of our ^{Circuit}~~County~~ Court of Lee County, at the Court House, in the Clerk's Office, at Rules to be holden for said Court, on the first Moday in *July* next, to answer a bill in Chancery, exhibited in our said Court against *them* by *John D Sharp*

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court House, this *15th* day of *June* 1874 in the 78th year of the Commonwealth.

James W Orr Clerk.

(8) Lm
John D. Sharp
vs Sra in Chancery

John D. Sprinkle et al

July Rules 1874

I accept the legal service
of the Sra in chcy. the the
23 day of June 1874

Wm L. Hurst

Executed on Jura S. Sprinkle

Wm L. Hamilton & Co